

REMARKS/ARGUMENTS

The Applicants originally submitted Claims 1-9 in the application. In the present response, the Applicants have amended Claims 1, 3-8 and have added Claims 10-12. Support for the amendment can be found, for example, in paragraphs 14, 22, 24, 30 and Figure 4 of the original specification. Accordingly, Claims 1-12 are currently pending in the application.

I. Formal Matters and Objections

The Examiner has objected to Claims 1 and 3-8 as containing informalities. In response, the Applicants have amended the claims to correct these informalities and appreciate the Examiner's diligence in finding and bringing these informalities to their attention. As such, the Applicants respectfully request the Examiner to withdraw the objection and allow issuance of the pending claims.

II. Rejection of Claims 1-7 and 9 under 35 U.S.C. §102

The Examiner has rejected Claims 1-7 and 9 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,924,065 to Eberman, *et al.* The Applicants respectfully disagree in view of amended independent Claim 1 and the below arguments.

Eberman fails to disclose updating a scaling factor each time new data of a signal is available as recited in amended independent Claim 1. On the contrary, Eberman relates to compensating digitized speech signals with data derived from the acoustic environment in which the speech signals are generated and communicated. (*See* column 1, lines 6-10.) Eberman discloses

determining the parameters of noise and channel distortion to transform codebook vectors (stored in vector codebook 107). The transformed codebook vectors can be expressed as a set of correction vectors that are applied to feature vectors to make the feature vectors more similar to clean vectors stored in the vector codebook 107. (See column 6, lines 50-63.) Thus, instead of updating a scaling factor, Eberman discloses changing *feature vectors* by applying correction vectors.

Therefore, for at least the reason given above, Eberman does not disclose each and every element of amended independent Claim 1. As such, Eberman does not anticipate Claim 1 and Claims dependent thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §102 rejection with respect to Claims 1-7 and 9 and allow issuance thereof.

Furthermore, the Applicants fail to find where Eberman anticipates new Claims 10-12. The Applicants respectfully request the Examiner to indicate otherwise if the Examiner disagrees.

III. Rejection of Claim 8 under 35 U.S.C. §103

The Examiner has rejected Claim 8 under 35 U.S.C. §103(a) as being unpatentable over Eberman in view of U.S. Patent No. 6,266,638 to Stylianou. The Applicants respectfully disagree.

As discussed above, Eberman fails to disclose updating a scaling factor each time new data of a signal is available as recited in independent Claim 1. Additionally, Eberman fails to suggest the same since Eberman relates to compensating the speech signals (*see* column 1, lines 6-10), not updating a scaling factor. More specifically, Eberman relates to determining an estimation of noise to adapt feature vectors (*see* column 6, lines 50-54 of Eberman and paragraph 5 of the

present invention). In contrast, the present invention of Claim 1 uses new data of a signal to update a scaling factor. As such, Eberman fails to teach or suggest each element of independent Claim 1.

Stylianou relates to increasing the naturalness of concatenative speech synthesis. (See column 1, lines 7-9, and column 2, line 5.) Stylianou has not been cited to cure the above noted deficiencies of Eberman but to address dependent Claim 8. (See Examiner's Action, pages 4-5.) Thus, the cited combination of Eberman and Stylianou does not provided a *prima facie* case of obviousness of independent Claim 1 and Claim 8 which depends thereon. The Applicants therefore respectfully request the Examiner withdraw the §103(a) rejection of Claim 8 and allow issuance thereof.

IV. Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-12.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

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